

Equality Commission

FOR NORTHERN IRELAND

**Consultation on
Draft Corporate Plan 2022 - 2025**

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Introduction

We are pleased to publish this Draft Corporate Plan for consultation. We aim to use our powers and duties in combination to secure changes to policy, practices and procedures to combat discrimination and promote equality in Northern Ireland.

This draft sets out five strategic priorities which we have developed to guide our work over the period April 2022 – March 2025. We would very much welcome your feedback and comments on these – your views are important and will be considered as we work to finalise the Plan early next year.

We recognise that the Corporate Plan, as a framework, needs to be a dynamic and flexible document. We will review the strategic priorities each year, to ensure, on an annual basis, that our work reflects and takes account of new developments and any changes to the context in which we work.

The consultation period will last until 25 February 2022. We are particularly interested to hear your views on the following questions:

- Are the draft strategic priorities likely to help us make a difference in the coming period?
- Is there anything missing that you would like to see us working on?
- What areas of our work do we do well and need to continue working on?
- What areas of our work do we need to improve on?

A survey response form is available is available to assist you on our [consultation webpage](#). We also welcome contributions in any form and or you can arrange a meeting with us please get in touch with us on the number provided.

We look forward to hearing from you.



30 November 2021

1. Who we are and what we do

The Equality Commission for Northern Ireland is a non-departmental public body established by the Northern Ireland Act 1998. We are sponsored by The Executive Office, which is responsible for equality legislation in Northern Ireland and for the resources which are allocated to the Commission.

We are governed by a board of Commissioners consisting of a Chief Commissioner, a Deputy Chief Commissioner and presently [12 other Commissioners](#), appointed by the Secretary of State for Northern Ireland.

Role and remit

Our powers and duties derive from a number of statutes enacted over the last decades. These provide protection against discrimination in employment and in the provision of goods, facilities and services on grounds of disability, race, religion and political opinion, sex and sexual orientation. On the grounds of age, protection against discrimination is available only in respect of employment.

We also have responsibilities arising from the Northern Ireland Act 1998 and Disability Discrimination Act 1995 in respect of the statutory equality and good relations duties which apply to public authorities - the s75 duties and the disability duties.

The Commission, with the Northern Ireland Human Rights Commission, has been designated under the United Nations Convention on the Rights of Disabled Persons (UNCRPD) as the independent mechanism tasked with promoting, protecting and monitoring implementation of UNCRPD in Northern Ireland.

The European Union (Withdrawal Agreement) Act 2020 gave new duties and powers to the Commission, and to the Northern Ireland Human Rights Commission (NIHRC), effective from 1 January 2021. These enable the Commission to monitor, advise and report on, and enforce the UK Government's adherence to its commitment set out in Article 2 (1) of the Ireland/Northern Ireland Protocol to the Withdrawal Agreement. This commitment is to ensure that no diminution of rights, safeguards or equality of opportunity, as set out in that part of the 1998 Agreement entitled Rights, Safeguards and Equality of Opportunity results from the UK's withdrawal from the Union, including in the area of protection against discrimination.

In general terms, our statutory remit provides that we are to:

- promote equality of opportunity and affirmative action
- work towards the elimination of unlawful discrimination and harassment
- keep relevant legislation under review
- promote good relations between persons of different racial groups and good disability practice
- oversee the effectiveness of statutory equality duties on public authorities.

How we work in practice

We use a combination of our powers to encourage and to enforce changes to policy, practices and procedures in favour of greater equality and good relations and we will continue to do so.

Work is undertaken across our main functions as set out below:

Advice and Compliance

Our Advice and Compliance staff provide advice, support and guidance to public authorities, employers and service providers on all aspects of their equality obligations and on best practice, both in respect of the anti-discrimination legislation and on the equality and good relations duties. They also work to ensure that those with responsibilities under the range of equality legislation comply with their obligations.

Legal Services

Our Legal Services staff provide information and discrimination advice to individuals with potential complaints under anti-discrimination laws. They also provide representation to individuals to whom we have provided legal assistance.

Policy and Strategic Engagement

Our Public Policy and Strategic Engagement staff work with departmental officials, elected representatives and wider stakeholders to raise awareness and secure advocacy and adoption of key changes to improve law and public policy. Through this, we support and challenge government to better tackle identified key inequalities, and to advance equality of opportunity and good relations. Key areas include employment, education, housing and accommodation, participation in public and political life.

Research and Investigations

Our Research and Investigations staff work to address evidence gaps to support the delivery of other Commission functions, and to help set the equality agenda through research and evidence. They undertake formal investigations and also investigations in relation to the statutory equality and good relations duties and deal with complaints that a public authority may have failed to comply with its approved Equality Scheme.

Communication and Promotion

Our Communication and Promotions staff support the Commission's corporate stakeholder engagement; and undertake our promotional and awareness raising activities as well as our public affairs and media activities.

Dedicated Mechanism Unit

Our Dedicated Mechanism Unit staff undertakes the range of new functions we have to oversee the UK Government's commitment set out in Article 2 of the Ireland/Northern Ireland Protocol to no diminution of rights. This includes monitoring and reporting on Government's compliance with the commitment, policy and research, awareness raising and enforcement.

Our [Annual Report](#) and [Annual Review](#) set out our performance over the last year.

2. Our vision and mission and our values

Our vision is

An equal society

Our mission is

Improving people's lives by promoting equality and combatting discrimination

Our **values**, set out below, seek to reflect the culture of the Commission. We recognise that how we do things is as important as what we do.

Committed – we actively challenge discrimination and inequalities and promote equality, care about delivering high standards of public service, we are courageous, dedicated and passionate about our work

Open – we are honest, trustworthy, inclusive, accountable, approachable and responsive

Respectful – we treat people as equals and respect diversity, act fairly, appreciate and support our colleagues' efforts, care for ourselves, colleagues and others and we listen

Enterprising – we are innovative, forward-thinking, outward looking, adaptable and continuously improving how we work.

3. Context

The context for the Commission's work in the coming three-year period looks set to be shaped by the ongoing impact of the UK leaving the European Union as well as the implications of the COVID-19 pandemic. Both of these factors have dramatically altered our work over the recent period - we have taken on new responsibilities to oversee the UK Government's to no diminution of rights as set out in Article 2 of the Ireland/Ni Protocol and we have adapted our work to provide a timely, relevant and effective response to the challenges of COVID-19 from an equality perspective.

This work will continue into the forthcoming Corporate Plan period. We anticipate a continued focus on issues arising as a result of Brexit and the need to address potential changes to rights, changes to EU funding, and changing relationships between UK and the European Union. We will be working, with NIHRC, with the Irish Human Rights and Equality Commission to oversee and report on rights and equalities issues falling with this scope of the Article 2 commitment that have all island dimension.

We will also continue to highlight the potential differential impacts of Covid by equality ground and to promote the use of the equality law framework, including the equality and good relations duties to shape the public policy response – in areas such as employment, education and health. We want to see a clearer focus on addressing inequalities in the TEO's Covid-19 Recovery Plan, as highlighted in our comments on the draft in July this year.

So, too, we will continue to focus on the critical importance of race equality in Northern Ireland, following the focus of the Black Lives Matter campaign this year and the death of George Floyd in May 2020. There is an increase in reported race hate crime here which needs to be addressed through the introduction of updated hate crime legislation. The effective implementation of the Executive's Race Equality Strategy 2015 – 2025 is vital.

We also recognise that we will need to continue to be responsive to priorities agreed by the Northern Ireland Executive arising from its consideration of the implementation of the New Decade, New Approach document of January 2020, although we appreciate that this has been impacted by the COVID-19 pandemic.

The need for equality law reform remains critical. The gaps in protections for people against discrimination – including in respect of

age discrimination in goods, facilities and services – are unacceptable. We have been calling for law reform for many years, publishing recommendations for improvements. We will continue to highlight the differences in rights for people here compared to Great Britain with its Single Equality Act 2010 and to press for changes.

We also wish to see the various social strategies being developed now, led by the Department of Communities, reach successful conclusion this year – on gender, sexual orientation, disability and anti-poverty. These have the potential to address persistent inequalities and advance equality across public policy and service delivery on these grounds and we anticipate an ongoing focus on their delivery in the coming years.

We understand that, following next May's Assembly elections, a new Programme for Government (PfG) will be agreed. Like others, this year, we provided comments on the PfG Outcomes Framework in April 2021, highlighting the need for a focus on equality. This included highlighting, again, the need for improved equality data – essential to ensure that policies and services are effectively targeted to achieve improvements in the situation and experiences of people across the equality groups.

We will continue to be vigilant to emerging equality issues – including impact of technology and increased use of Artificial Intelligence for example. We will also continue to highlight the link between poverty and inequalities and the need for action to address poverty and social exclusion experienced by a range of equality groups. It is clear that the lives of many people are impacted adversely by inequalities, disadvantage and discrimination and that barriers and inequalities can be exacerbated by poverty and social exclusion.

4. Proposed strategic priorities

Our considerations to date of what needs to be addressed on in the next three years, has led to developing five strategic priorities to guide our work over the period 2022 – 2025.

These are:

- Working for a stronger legal and policy framework for equality
- Using our powers to combat discrimination and promote equality of opportunity
- Safeguarding our rights and protections post Brexit
- Promoting equal access to and equal opportunities for all at work
- Addressing inequalities in educational attainment and tackling bullying

Work planned under each of these priorities is set out below, focusing on how we will use our powers and duties to make change happen. We aim to use a combination of our powers and duties to secure changes to policy, practices and procedures in favour of greater equality and good relations.

We remain committed to partnership working to help advance equality in Northern Ireland – both with those who are in a position to effect change and those with whom we share common cause in identifying and working for the changes required. Building on and extending partnership working is key to the delivery of our priorities.

Much of our planned work set out below covers the full range of equality grounds protected by the anti-discrimination legislation and covered by the equality and good relations duties. We also focus on specific inequalities experienced by particular groups where it is important to do so, to ensure that those issues are highlighted and addressed.

Working for a stronger legal and policy framework for equality

- Increasing awareness, advocacy and action on the need for equality law reform through targeted communications, political engagement and partnership working - focusing on the need to increase protection against discrimination for individuals in areas such as on grounds of age in accessing goods, facilities and services; race equality law; hate crime; gender pay reporting; and extending protection from religious discrimination to teachers

- Influencing the Programme for Government and engaging with Departments, Assembly Committees and relevant public bodies to influence the design and delivery of key social and equality strategies, including through partnerships with key stakeholders.
- Encouraging high levels of public leadership on equality and good relations issues.
- Working to encourage the production and availability of improved equality data available across equality grounds to help promote equality and tackle inequality in Northern Ireland.
- Utilising any opportunities presented by the United Nations Conventions on the Elimination of All Forms of Discrimination against Women (CEDAW), the on Elimination of All Forms of Racial Discrimination (CERD), and on the Rights of Persons with Disabilities (UNCPRD) and other international frameworks and related processes to lever change.
- Completing a 'Measuring Equality in Northern Ireland' project to provide an updated evidence base on equality and using the results to inform and support action for change.
- Increasing public awareness of 'cradle to grave' inequalities across equality groups.

Using our powers to combat discrimination and promote equality of opportunity

- Deploying our full range of advisory and enforcement powers in a strategic, coordinated and timely way to challenge discrimination and promote equality of opportunity and affirmative action/ action for change.
- Supporting high profile strategic casework demonstrating impacts wider than individual decisions and settlements.
- Providing advice on the public sector equality duties to assist public authorities to implement their equality schemes effectively.

- Deploying our investigatory powers to best strategic effect, including using our powers under Schedule 9 – paragraphs 10 and 11 – to investigate compliance with the Section 75 duties.
- Maintaining employer and public authority compliance with FETO monitoring and Article 55 Review requirements.
- Providing advisory support for employers and service providers to promote good practice and support employers to make changes to their policies and practices.

Safeguarding our rights and protections after Brexit

- Monitoring and reporting on compliance with the Article 2 commitment by Government.
- Promoting the mainstreaming of Brexit-related equality and good relations considerations in legislative development and policymaking.
- Increasing understanding and awareness of the Article 2 commitment and the Commission’s role and remit among key stakeholders.
- Timely and strategic use of the Commission’s enforcement powers that results in a satisfactory outcome.
- Maintaining effective joint working with our partners NIHRC and IHREC.

Promoting equal access to and equal opportunities for all at work

- Seeking improvements in workplace equality and working environments for target groups – disabled people, women, and people from Black and minority ethnic communities.

- Working with key partners to shape Government strategies and promote improved public policy on employment and actions on employability.
- Increasing awareness of inequalities in employment, in the context of COVID-19, amongst key decision-takers and opinion formers.
- Securing support for change and improvements in employer practices in target workplaces to support and retain target groups in the workplace.
- Promote awareness of employee rights and employer responsibilities and strategically challenge discriminatory practices in recruitment, employment and harassment.
- Keeping patterns and trends under review and raising awareness of trends, given the enduring importance of FETO monitoring.

Addressing inequalities in educational attainment and tackling bullying

- Working with others to ensure the Independent Review of Education Report has a strong equality dimension.
- Seeking action by the Department of Education (DE) and the Education Authority (EA) to identify and address inequalities in educational attainment and access, including those exacerbated by COVID-19.
- Working with stakeholders to ensure schools are supported to implement and monitor anti-bullying legislation.
- Promoting awareness of educational inequalities and building support for change.

5. Delivering the Plan

Financial resources

Work on preparing a draft Budget for the three-year period 2022-25 is ongoing and the financial context against which the Plan will be delivered may become clearer over the coming months. In our current planning assumptions, we anticipate that the COVID-19 pandemic will have a substantial impact on public finances over the planning period.

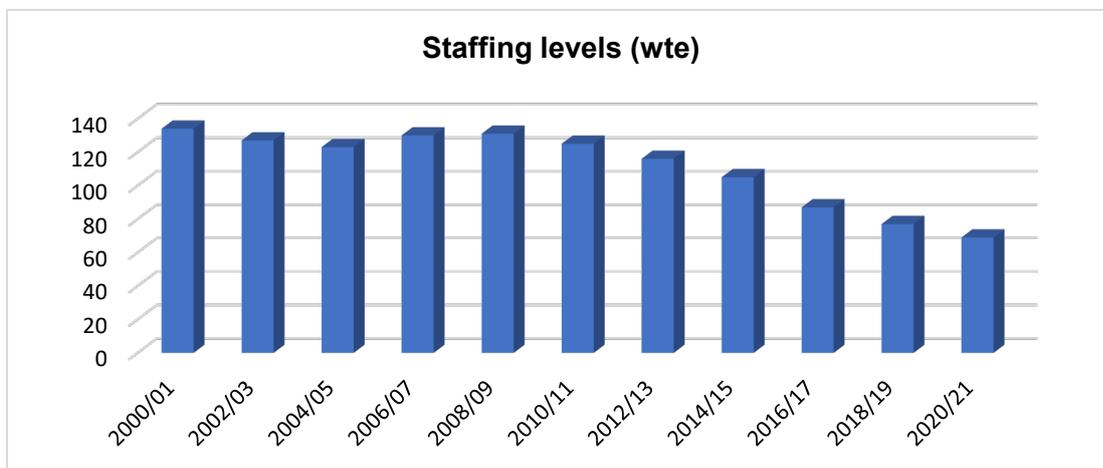
Against a long-standing and substantial downward trend in financing, the last three years has seen, first, stabilisation and then a slight increase, albeit not in real terms. This is set out in the Table below. It is uncertain whether this position will be sustained and, like many public bodies, we have been asked to be prepared for future budget reductions.

Opening budget allocations	2018/19	2019/20	2020/21	2021/22
Resource	5,302	5,303	5,430	5,585
(Receipts)	(346)	(346)	(346)	(346)
Capital	0	0	0	20
Depreciation	85	85	85	85
Dedicated Mechanism	0	0	300	793
Total (excl. DMU)	5,041	5,042	5,169	5,344

In October 2020, the Commission received funding from the Northern Ireland Office, via Department of Finance and The Executive Office, to establish a Dedicated Mechanism Unit (DMU) to deliver its responsibilities in relation to Article 2 of the /Ireland NI Protocol. This funding covers the period up to 31 March 2023. We will be keeping under review the level and nature of the work on an ongoing basis and advise Government of the resources required. It is clear that there will be ongoing work to oversee the Article 2 commitment and it is assumed that

arrangements will be put in place to continue to fund this work after March 2023.

The downward trend in funding over the period since 2008/09, of almost a third against our opening budget this year, has clearly had consequences for what we can deliver. In particular, the annual budget reductions have had a major impact on our staffing levels, as set out below. With recruitment of posts to fulfil our new responsibilities and the filling of a small number of vacancies this year, we will be able to report a small increase in our staffing level at the end of the current financial year for the first time in well over a decade.



We will continue to discuss the evolving financial position with our Sponsor Department and highlight the need to ensure sustainability of funding to deliver key equality commitments in New Decade: New Agenda and a new Programme for Government as well as our statutory remit and the public services we deliver arising from this

The Commission will also strive to mitigate the impact of any further reductions on its service delivery and core responsibilities.

Delivery of our work

The coming years are likely to see the continuation of significant changes in how we work. Staff in the Commission faced the challenges thrown up by the pandemic since March 2020 with flexibility, fleetness of foot, resilience and professionalism. In a difficult operating environment,

business continuity was maintained, many of our processes were adapted and new ways of working quickly developed.

We will maintain these new ways of working where helpful and, in common with many organisations, following the experiences of working from home throughout the pandemic, we plan to return to a blend of office working and home working to deliver our work and services when public health advice changes.

To support this, we have adapted our use of technology, in particular with migrating our systems to the Cloud and extensive updating of staff IT skills to fully utilise the functionality of Office 365 and MS Teams as we move to provide more of our services online.

We will also work to deliver our People Strategy 2021 - 2024, agreed this year, as a framework to guide our work as we further adapt, modernise and improve how we do things, with new ways of working building on past successes and fit to meet the challenges ahead while we continue to deliver effectively on our remit.